

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW HAMPSHIRE

UNITED STATES

v.

11-CR-06

BRIAN MAHONEY

DEFENDANT'S REQUESTED JUROR VOIR DIRE QUESTIONS

Defendant Brian Mahoney requests this court to ask the following voir dire question to the jury venire:

I. Constitutional Issues

1. Mr. Mahoney requests this court to ask its standard juror voir dire questions relating to the following Constitutional issues:

- Presumption of innocence;
- Burden of proof;
- Burden of production (i.e. that the defendant has no burden to produce witnesses, cross-examine government witnesses, or otherwise present evidence); and
- Defendant's right not testify.

II. Sex Offender Issues

2. The defendant is charged with failing to properly register or update his registration as a sex offender. Do any of you have strong opinions about this type of case that might interfere with your ability to be fair and impartial?

3. Have you or a close family member even been the victim of any form of sexual abuse?

4. Have you or a close family member even been accused of committing any form of sexual abuse?

5. Have you or a member of your household ever worked for any employer involved in the apprehension, arrest, prosecution, treatment or registration of sex offenders? Examples of such employers include police departments, the New Hampshire State Police, prosecutors' offices, the New Hampshire Department of Corrections, and state and private sex offender treatment providers.

6. Have you or a member of your household ever worked for or volunteered for any organization engaged in representing, advocating for or providing treatment to victims of sexual abuse? Examples of such organizations include child advocacy centers, victim/witness programs, Sexual Assault Support Services, the Granite State Children's Alliance and private treatment providers.

7. Have you or a member of your household ever belonged to any organization that takes public policy positions on matters related to sex offender prosecutions and registrations. One example of such an organization is the New Hampshire Coalition Against Domestic and Sexual Violence?

8. Have you ever contributed money to any charitable organization for the purpose of preventing sexual abuse or providing support and advocacy to the victims of sexual abuse?

Respectfully submitted,

May 30, 2012

/s/ Andrew R. Schuman,  
Andrew R. Schulman, Esq.  
GETMAN, SCHULTHESS  
& STEERE, P.A.  
1838 Elm Street  
Manchester, New Hampshire 03104  
603/634-4300  
NH Bar 2276

/s/ Paul J. Garrity,  
Paul J. Garrity, Esq.  
14 Londonderry Road  
Londonderry, NH 03053  
603-434-4106  
NH Bar 905

CERTIFICATE OF SERVICE

I, Andrew R. Schulman, hereby certify that I have mailed a copy of this motion to all counsel of record on May 30, 2012 via the Court's ECF facilities.

/s/Andrew R. Schulman,  
Andrew R. Schulman